

Surgeon Testifies Smoking Is Killer

By ARTHUR JOHNSEY
Herald Staff Writer

A surgeon who operated on contractor Edwin M. Green testified Wednesday he believes the lung cancer that caused Green's death was "due to his heavy smoking."

Dr. DeWitt C. Daughtry gave a federal court jury the first testimony directly linking tobacco smoking with the Cocnut Grove man's death in 1958.

Dr. Daughtry, assistant professor of surgery at the University of Miami medical school, took the stand as a witness for Green's estate in its damage suit against the American Tobacco Co.

The suit contends the company failed to warn Green its cigarettes contained tars perhaps injurious to his health.

Other witnesses had testified the contractor smoked Lucky Strike cigarettes, a product of American Tobacco, regularly for 30 years and only occasionally smoked other brands.

The surgeon testified that "epidermoid" cancer, due to smoking, was the cause of death.

In fact, Dr. Daughtry told the jury, he could not recall a single case of this particular type of cancer in his experience.

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that occurred "without a history of smoking."

On cross examination Dr. Daughtry acknowledged that scientists do not know what happens in the lung cells to produce epidermoid cancer.

He also admitted that the medical record in Green's case disclosed another symptom — a difficulty of getting his food down for two years before he died.

Dr. Richard Overholt, Boston chest surgeon, testified after reading the Green medical history that he believed smoking had some relation to his death.

"If this man had not smoked he would not have died of lung cancer at the time," he said, and added "we don't know about the future."

Cigarette Firm Case Trimmed

A federal judge Monday threw out some of the claims on which the late Edwin M. Green's estate is asking damages from a cigarette manufacturer because of his death from lung cancer.

Judge Emett Choate directed the dismissal of the action insofar as it is based on charges the defendant, American Tobacco Co., misrepresented its cigarettes.

The estate of Green, a Cocnut Grove contractor, is attempting to prove his lung cancer was brought on by heavy smoking for 32 years.

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Heavy Smoker For 40 Years But No 'Habit'

"Ever attempt to give up smoking?"

"No."

Then they asked him several times if he thought the nicotine in cigarettes are habit forming.

Crowe testified the nicotine "hasn't affected me" even though he has been smoking three to four packs a day for more than 40 years.

The attorneys also questioned Crowe closely on what American Tobacco has done in researching cancer and heart disease tie-ups with smoking.

Crowe called the field "health" problems and said his firm had joined the Tobacco Industry Research Committee, but he said he was vague on specific activities.

American Tobacco has a research director, he said. Crowe himself is in charge of research but he testified that he is the money man with underlings doing the work.

Judge Emett Choate told the jury — 11 smokers, one abstainer — the trial was recessed until Monday. The court has criminal and bankruptcy issues today.

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